

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

JOSEPH VAN LOON; TYLER ALMEIDA;
ALEXANDER FISHER; PRESTON VAN LOON;
KEVIN VITALE; and NATE WELCH,

Plaintiffs,

- against -

DEPARTMENT OF THE TREASURY; OFFICE OF
FOREIGN ASSETS CONTROL; JANET YELLEN,
in her official capacity as Secretary of the Treasury; and
ANDREA M. GACKI, in her official capacity as Director
of the Office of Foreign Assets Control,

Defendants.

No. 1:23-cv-312-RP

AFFIDAVIT OF NATE WELCH

Nate Welch declares as follows:

1. I previously worked as a senior software engineer at Coinbase. In that capacity, I maintained the company's crypto wallet, which is used to manage customer withdrawals and deposits.
2. I am a citizen of the United States of America.
3. I currently reside in Maine.
4. I am not a terrorist or a criminal.
5. I do not launder money.
6. I am not a member of the government of North Korea or the North Korean Workers' Party.
7. I do not support terrorism, illegal activity, the government of North Korea, or the Korean Workers' Party.

8. I submit this declaration in support of Plaintiffs' Motion for Partial Summary Judgment in the above-captioned case.

9. I am familiar with all of the allegations set forth in the Amended Complaint filed in this action. Those allegations are true and correct to the best of my knowledge and belief.

10. I am personally familiar with the facts stated in this declaration.

Use of Tornado Cash

11. I own crypto assets.

12. As part of my job, I maintain a public ENS name that is posted to my public Twitter profile.

13. I have used Tornado Cash in the past and would use it again in the future.

14. For example, I have used Tornado Cash on at least six occasions to protect my privacy and security.

15. I used Tornado Cash because I believe it could help avoid harassment from malicious actors. Although I have used other crypto privacy tools, I prefer Tornado Cash because it has the highest volume of users and transactions, which ensures greater anonymity by making it more difficult to trace particular Ether to particular users.

16. As a result of OFAC's sanctions, 1.2 ETH of my funds are now trapped because I am prohibited from dealing with the Tornado Cash smart contracts in order to withdraw the funds. The trapped 1.2 ETH is worth approximately \$2,000 today.

17. If Tornado Cash were no longer designated, I would use Tornado Cash both to access my trapped funds and to continue transacting privately and securely.

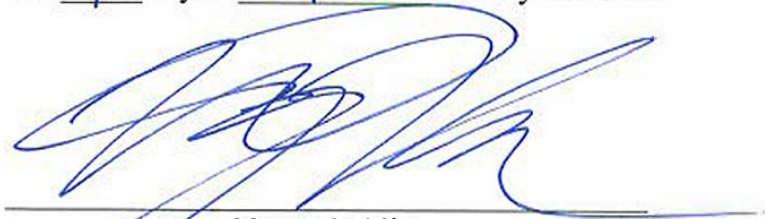
I, Nate Welch, swear or affirm and declare under penalty of perjury that the foregoing is true and correct.


Nate Welch

Dated 4-4, 2023

State Maine
County of Cumberland
City of Portland

Subscribed and sworn to or affirmed before me
this 4th day of April in the year 2023.



Notary Public
(sign and affix seal or stamp)

